

AMENDED IN SENATE AUGUST 28, 2001

AMENDED IN SENATE JULY 17, 2001

AMENDED IN SENATE JULY 3, 2001

CALIFORNIA LEGISLATURE—2001–02 SECOND EXTRAORDINARY SESSION

## SENATE BILL

No. 82

**Introduced by Senator Murray**

**(Coauthors: Senators Bowen, Chesbro, Soto, and Speier)**

**(Coauthors: Senators Battin, Bowen, Brulte, Chesbro, Escutia,  
Figueroa, Karnette, McPherson, Ortiz, Romero, Scott, Soto,  
Speier, and Torlakson)**

**(Coauthors: Assembly Members Alquist, Florez, and Pavley)**

June 4, 2001

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~~An act to amend Section 14073 of the Corporations Code, and to add~~  
*An act to add* Section 14684 to the Government Code, relating to solar  
energy.

### LEGISLATIVE COUNSEL'S DIGEST

SB 82, as amended, Murray. Solar energy systems.

~~(1) The California Small Business Financial Development Corporation Law provides for the creation of small business financial development corporations by the Technology, Trade, and Commerce Agency. These corporations are authorized to make loans and loan guarantees to small businesses for various purposes, including loans for energy efficiency improvement. Existing law continuously appropriates the money in the California Small Business Expansion Fund.~~

~~This bill would specifically identify solar energy systems as energy efficiency improvements for which these corporations may grant loans. The bill would specify the minimum and maximum amounts for a loan, and would require the Energy Resources Conservation and Development Commission, in cooperation with the California Office of Small Business Development, to establish criteria and procedures applicable to loans for solar energy systems made under these provisions.~~

~~(2) Existing~~

*Existing* law establishes in state government the Department of General Services, which has various responsibilities related to planning, acquisition, construction, and maintenance of state buildings and property. Existing law also establishes in the Resources Agency the *State* Energy Resources Conservation and Development Commission, which has various responsibilities related to energy conservation.

This bill would require the department, in consultation with the commission, to ensure that solar energy equipment is installed, no later than January 1, 2007, on all state buildings and state parking facilities where feasible, as specified. It also would require solar energy equipment to be installed *where feasible* as part of the construction of all state buildings and state parking facilities that commences after December 31, 2002.

The bill would authorize the department to adopt emergency regulations, as specified for the purposes of the bill.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) California is experiencing severe electrical shortages,
- 4 which endanger the health, safety, and economic development
- 5 opportunity of its citizens.
- 6 (b) Immediate measures are needed to increase the electrical
- 7 generation capacity within California, including energy from solar
- 8 energy systems.
- 9 (c) California has been a leader in the development of solar
- 10 energy systems.

(d) California must take all reasonable actions necessary to encourage the use of solar energy systems at ~~places of business state buildings and facilities.~~

~~SEC. 2. Section 14073 of the Corporations Code is amended to read:~~

~~14073. (a) Corporations may grant loans for energy efficiency improvements, including solar energy systems.~~

~~(b) The minimum amount that may be approved for a loan for a solar energy system is eight thousand dollars (\$8,000) and the maximum amount is one million dollars (\$1,000,000).~~

~~(c) The Energy Resources Conservation and Development Commission, in cooperation with the office, shall establish criteria and procedures applicable to loans for solar energy systems made by corporations under this section.~~

~~(d) "Solar energy system" means any new, previously unused solar energy device whose primary purpose is to provide for the collection, conversion, transfer, distribution, storage, or control of solar energy for electricity generation, and that meets applicable standards and requirements imposed by state and local permitting authorities, including, but not limited to, the National Electric Code. Major components of solar energy systems for electricity generation shall be certified by a certified testing agency, such as the Underwriters Laboratory.~~

~~SEC. 3.—~~

~~SEC. 2. Section 14684 is added to the Government Code, to read:~~

~~14684. (a) Subject to subdivision (b), the department, in consultation with the Energy Resources Conservation and Development Commission, shall ensure that solar energy equipment is installed, no later than January 1, 2007, on all state buildings and state parking facilities, where feasible. The department shall establish a schedule designating when solar energy equipment will be installed on each building and facility, with priority given to buildings and facilities where installation is most feasible, both for state building and facility use and consumption and local publicly owned electric utility use, where feasible.~~

~~(b) Solar energy equipment shall be installed *where feasible* as part of the construction of all state buildings and state parking facilities that commences after December 31, 2002.~~

(c) For purposes of this section, it is feasible to install solar energy equipment if rooftop space on a building or parking facility is relatively unencumbered and receives sufficient sunshine to generate solar energy, taking into consideration geographic location, efficiency, and life cycle cost analysis and if adequate funding is available.

(d) No part of this section shall be construed to exempt the state from any applicable fee or requirement imposed by the Public Utilities Commission.

(e) The department may adopt regulations for the purposes of this section as emergency regulations in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1. For purposes of Chapter 3.5 (commencing with Section 11340) of Part 1, including, but not limited to, Section 11349.6, the adoption of the regulations shall be considered by the Office of Administrative Law to be necessary for the immediate preservation of the public peace, health, safety, and general welfare. Notwithstanding the 120-day limit specified in subdivision (e) of Section 11346.1, the regulations shall be repealed 180 days after their effective date, unless the department complies with Chapter 3.5 (commencing with Section 11340) of Part 1 as provided in subdivision (e) of Section 11346.1.

(f) For purposes of this section, the following terms have the following meanings:

(1) “Local publicly owned electric utility” means a local publicly owned electric utility as defined in Section 9604 of the Public Utilities Code.

(2) “Solar energy equipment” means equipment whose primary purpose is to provide for the collection, conversion, storage, or control of solar energy for electricity generation.

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